



ENVIRONMENT PROTECTION (SEA DUMPING) ACT 1981

SEA DUMPING PERMIT 19/01

for

North Queensland Bulk Ports Corporation Limited (ACN 136 880 218)

I, SIMON BANKS, a delegate of the Minister for the Environment acting under Section 19 of the *Environment Protection (Sea Dumping) Act 1981*, hereby grant a sea dumping permit to North Queensland Bulk Ports Corporation Limited, Mackay, Queensland, to load for the purposes of dumping, and to dump up to 956,553 cubic metres of seabed material, derived from maintenance dredging of the Port of Hay Point, commencing on the date of signature of this permit until 31 January 2029, subject to conditions which are specified in Appendices 1 and 2.

DATE.....23.....day of.....January.....2019

.....
Simon Banks
Delegate of the Minister

This permit comprises seven (7) pages, including Appendices 1 and 2.

CONDITIONS FOR DUMPING AT SEA OF SEABED MATERIAL DERIVED FROM MAINTENANCE DREDGING OF THE PORT OF HAY POINT, QUEENSLAND

Definitions

In this permit:

“the Act”	means the <i>Environment Protection (Sea Dumping) Act 1981</i> ;
“contingency maintenance dredging”	means additional dredging other than regular maintenance dredging required to maintain navigable depths as a result of unexpected severe weather events;
“dredge campaign”	means a single event (consecutive days or weeks, excluding stand down or stop works days) encompassing the extraction, transportation and disposal of dredge material to maintain navigable depths;
“Application”	means the Application for a permit under the <i>Environment Protection (Sea Dumping) Act 1981</i> submitted by North Queensland Bulk Ports Corporation Limited on 25 October 2018;
“Marine mammals”	means dolphins, cetaceans and dugongs;
“Department”	means the Department of the Environment and Energy;
“Dumping activities”	means all activities associated with the dumping permitted under this permit, including: <ul style="list-style-type: none"> (i) the loading and carriage of dredged material for the purpose of dumping at sea; and (ii) the dumping of the material at the prescribed approved dredge spoil disposal area;
National Assessment Guidelines for Dredging	as published by Commonwealth of Australia (2009) or subsequent published revisions
“Environmental incident”	means any unplanned event which has the potential to, or does impact, on the environment. This does not include any permitted activities that are undertaken in accordance with this permit;
“Environmental risk”	means any risk, additional to those risks previously identified in the Application, which has the potential to, or does impact, on the environment;
“GPS”	Global Positioning System;
“Management Plans”	means documents development by North Queensland Bulk Ports Corporation Limited and submitted with the permit application dated 25 October 2018 and any subsequent versions as approved by the Managing Agency.

- "Managing Agency"** means:
a) the Great Barrier Reef Marine Park Authority; and
b) a member of the staff of that Authority or a person referred to in s.43 of the *Great Barrier Reef Marine Park Act 1975* performing functions or exercising powers under that Act, in accordance with an agreement referred to in that section;
- "Marine Park"** means the Great Barrier Reef Marine Park established by the *Great Barrier Reef Marine Park Act 1975*;
- "the Minister"** means the Australian Government Minister, who administers the *Environment Protection (Sea Dumping) Act 1981*;
- "Monitoring zone"** means the area within 300 metres of the vessel in all directions at any point on the dredging or dumping run;
- "Vessel"** means any vessel or vessels used for or in connection with the loading and/or dumping activities.

1. Except so far as the contrary intention appears, terms used in these conditions to this permit have the same meaning as such terms in **the Act**.

Material to be dumped

2. North Queensland Bulk Ports Corporation Limited must ensure only up to 756,553 cubic metres in total of seabed material, derived from **maintenance dredging** of the Port of Hay Point is dumped at the Approved Dredge Spoil Disposal Area, specified at Condition 7.
3. North Queensland Bulk Ports Corporation Limited must ensure only up to 200,000 cubic metres in total of seabed material, derived from **contingency maintenance dredging** of the Port of Hay Point is dumped at the Approved Dredge Spoil Disposal Area, specified at Condition 7.
4. North Queensland Bulk Ports Corporation Limited must not dispose of more than 356,553 cubic metres of maintenance dredge material, derived from **maintenance dredging** at Port of Hay Point, to the Approved Dredge Spoil Disposal Area, specified at Condition 7, within 18 months of the commencement of the first **dredge campaign** authorised under this permit.
5. Except in accordance with Condition 4, North Queensland Bulk Ports Corporation Limited must not dispose of more than 200,000 cubic metres of maintenance dredge spoil material to the Approved Dredge Spoil Disposal Area, specified at Condition 7 in any one calendar year.
6. North Queensland Bulk Ports Corporation Limited will only undertake **dumping activities** of sediments after the Managing Agency has advised the Permittee in writing that the relevant components of the Sampling and Analysis Plan and Sampling and Analysis Plan Report have been approved and the sediments are demonstrated to be suitable for unconfined ocean disposal in accordance with the **National Assessment Guidelines for Dredging**.

Approved Dredge Spoil Disposal Area

7. North Queensland Bulk Ports Corporation Limited must only dispose maintenance dredge material within the area bound by the following coordinates (GDA94 datum):

SITE ID	Latitude (Decimal Degrees)	Longitude (Decimal Degrees)
MR1	-21.21982	149.30192
MR2	-21.20192	149.33486
MR3	-21.16552	149.3343
MR4	-21.19451	149.28061

8. North Queensland Bulk Ports Corporation Limited must ensure that dredged material is disposed so that the material is distributed generally in an even manner over the Approved Dredge Spoil Disposal Area specified in Condition 7.
9. North Queensland Bulk Ports Corporation Limited must establish by **GPS** that, prior to dumping, the **vessel** is within the Approved Dredge Spoil Disposal Area specified in Condition 7.

Environmental Monitoring and Management Plans for Dredging

10. North Queensland Bulk Ports Corporation Limited must implement the following **Management Plans** (Plans) in the manner stated in the Plan:
 - a. A Long Term Monitoring and Management Plan that addresses the management of dredging at the Port of Hay Point over a 25 year period;
 - b. Environmental Thresholds Report;
 - c. Maintenance Dredging Environmental Management Plan; and
 - d. Marine Environmental Monitoring Plan.
11. North Queensland Bulk Ports Corporation Limited must review and update the Plans required under conditions 10(b-d) prior to each dredge campaign. Any modifications to the Plans must be approved in writing by the **Managing Agency** prior to implementation.
12. The approved Plans must be made available for the term of this permit (electronically) on North Queensland Bulk Ports Corporation Limited website within 30 days of being approved by the **Managing Agency**.
13. If **the Minister** believes that it is necessary or desirable for the better protection of the environment to do so, **the Minister** may request North Queensland Bulk Ports Corporation Limited to make specified revisions to any of the Plans as specified in Condition 10 and submit the revised Plan for **the Minister's** approval. If **the Minister** approves a revised Plan pursuant to this condition, North Queensland Bulk Ports Corporation Limited must implement that Plan in place of the original Plan specified at Condition 10.
14. North Queensland Bulk Ports Corporation Limited must ensure that all **dumping activities** are undertaken in accordance with this permit and the Plans as approved by the **Managing Agency** from time to time.

Access for Observers

15. At least two nominees of the **Managing Agency** are to be afforded access to witness, inspect, examine or audit any part of the operations, including any dumping or monitoring activity, the vessel or any other equipment, or any documented records, and are to be provided with any necessary assistance in carrying out their duties.

Mitigation Measures for Protection of Marine Species

16. Before beginning dredging and **dumping activities**, North Queensland Bulk Ports Corporation Limited must check, using binoculars from the vessel, for **marine mammals** and/or turtles within the **monitoring zone**.
17. If any **marine mammals** and/or turtles are sighted in the **monitoring zone** pursuant to Condition 16, **dumping activities** must not commence in the monitoring zone until 20 minutes after the last marine mammal and/or turtle is observed to leave the monitoring zone or the vessel is to move to another area of the Approved Dredge Spoil Disposal Area to maintain a minimum distance of 300 metres between the vessel and any for **marine mammals** and/or turtles identified in Condition 16.

Environmental Risk and Incidents

18. If, at any time during the course of the dumping activities, an **environmental incident** occurs or **environmental risk** is identified, all measures must be taken immediately by North Queensland Bulk Ports Corporation Limited to mitigate the environmental risk or the environmental impact. The environmental risk or environmental impact is to be reported as soon as practicable and followed by a written report within three days, to the **Managing Agency**, with details of the environmental incident or environmental risk, the measures taken, the success of those measures in addressing the environmental incident or environmental risk and any additional measures proposed to be taken.
19. North Queensland Bulk Ports Corporation Limited must ensure that all persons engaged in the **dumping activities** under this permit, including the owner(s) and/or person(s) in charge of the vessel, comply with this permit and the requirements of the Act.

Monitoring and reporting

20. North Queensland Bulk Ports Corporation Limited must keep records comprising either weekly plotting sheets or a certified extract of the ship's log which detail:
 - a. the times and dates of when each dumping run is commenced and finished;
 - b. the position (as determined by GPS) of the vessel at the beginning and end of each dumping run, with the inclusion of the path of each dumping run; and
 - c. the volume of dredge material (in-situ cubic metres) dumped and quantity in dry tonnes for the specified operational period and a comparison of these quantities with the total amount permitted under the permit on a daily basis.

These records are to be retained by North Queensland Bulk Ports Corporation Limited for verification and audit purposes.
21. Prior to the commencement of each **dredge campaign** and **dumping activities** under this permit, North Queensland Bulk Ports Corporation Limited must provide a bathymetric survey of the spoil ground, conducted immediately prior to the commencement of works, to the **Managing Agency**.
22. A bathymetric survey of the Approved Dredge Spoil Disposal Area defined in Condition 7 must be undertaken by North Queensland Bulk Ports Corporation Limited within one (1) month of the completion of each dredge campaign dumping activities authorised under this permit.
23. Within two (2) months of a bathymetric survey being undertaken as specified in Condition 22, North Queensland Bulk Ports Corporation Limited must provide a digital copy of each of the bathymetric surveys to the Australian Hydrographic Office, Locked Bag 8801, Wollongong, NSW 2500.
24. North Queensland Bulk Ports Corporation Limited must provide a report on the bathymetry to the Managing Agency within two (2) months of the bathymetric survey being undertaken. The report must include a chart showing the change in sea floor bathymetry as a result of dumping and include written commentary on the volumes of dumped material in cubic metres that appear to have been retained within the Approved Dredge Spoil Disposal Area.
25. The North Queensland Bulk Ports Corporation Limited must, prior to 31 January each year, provide an annual report on the results of all field work, monitoring results and management requirements that form part of the Plans, as approved under Condition 10.
26. North Queensland Bulk Ports Corporation Limited must, prior to 1 March each year make available on the Permit Holder's website all monitoring reports in accordance with the approved Marine Environmental Monitoring Plan.

27. Within six (6) months of completion of each dredge campaign permitted herein, the Permit Holder must publish a report on their website addressing compliance with the requirements of the Environmental Thresholds Report, Maintenance Dredging Environmental Management Plan and the Marine Environmental Monitoring Plan, as verified by an independent audit. That audit report must include but not be limited to the following:
- a. deviations from the Environmental Thresholds Report; and
 - b. identification of any changes that would be required to the Maintenance Dredging Environmental Management Plan, the Marine Environmental Monitoring Plan or the Environmental Thresholds Report before the next dredge campaign.
28. The Managing Agency must approve the auditor in writing prior to commencement of each independent audit referred to in Condition 27.
29. To facilitate annual reporting to the International Maritime Organization, North Queensland Bulk Ports Corporation Limited must report to the **Department** and the **Managing Agency** by 31 January each year, including on the day of the expiry of the permit or completion of all dredging under this permit, information at Appendix 2 to this permit, or in a format as approved by the Department from time to time.
30. The Permit Holder must ensure that all notifications, plans and reports that require approval under this permit are submitted to the **Managing Agency** no less than 40 business days before the relevant works are proposed to commence.

Appendix 2: Sea Dumping Permit International Reporting Requirements

Please fill in this form and return it by **email only** to the Department of the Environment and Energy and the Great Barrier Reef Marine Park Authority by 31 January each year. This information is required for Australia's International reporting obligations under the London Protocol. Email: portsandmarine@environment.gov.au and assessments@gbmpa.gov.au.

Permit Holder: North Queensland Bulk Ports Corporation Limited

Address: Level 1, 324 Queen Street, Brisbane, Queensland, 4000

Submitted by:

Phone:

Email:

Date:

Sea Dumping Permit number: SD19/01

Permit start date: 23 January 2019

Permit end date: 31 January 2029

Approved Dredge Spoil Disposal Area:

Geographical position

SITE ID	Latitude (Decimal Degrees)	Longitude (Decimal Degrees)
MR1	-21.21982	149.30192
MR2	-21.20192	149.33486
MR3	-21.16552	149.33443
MR4	-21.19451	149.28061

Permit quantity: 956,553m³

Quantity dumped (cubic metres/number) in the preceding calendar year:

Description of material Please tick relevant box or boxes

Capital Dredged Material , Maintenance Dredged Material , Fish Waste ,

Vessels , Platforms , Sewage Sludge , Organic Material of Natural Origin ,

Bulky Waste , CO₂ , Inert-Inorganic Geological Material ,

Comments: